Docket No. 25401-26

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450 on June 24, 2004.

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:

Ib Mendel-Hartvig et al

Paper No.:

Serial No.:

09/582,808

Group Art Unit: 1641

Filed:

October 16, 2000

Examiner:

G. Counts

For:

Analytical Method Using Particles and Test Kit for Performing the Method

NOTICE OF APPEAL

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal the Examiner's final rejection of claims 42-83 as set forth in the Official Action dated February 24, 2004.

The government appeal fee of \$330.00 should be charged to our Visa credit card.

Form PTO-2038 is enclosed. Any deficiency or overpayment should be charged or credited to Deposit Account No. 04-1133.

06/30/2004 YPDLITE1 00000103 09582808

02 FC:1401

330.00 GP

Respectfully submitted,

Holly D. Kozlowski, Reg. No. 30,468

Dinsmore & Shohl LLP 1900 Chemed Center 255 East Fifth Street Cincinnati, Ohio 45202

(513) 977-8568

1029385v1